



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 12 2008

MUR 6056

Brian Watson, Treasurer
Armstrong for Congress
7600 E. Orchard Road, Suite 350 N
Greenwood Village, CO 80111

Dear Mr. Watson:

The Federal Election Commission ("Commission") has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that Armstrong for Congress ("AFC") may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission has received information that Protect Colorado Jobs, Inc. ("PCJ"), a 501(c)(4) corporation registered with the State of Colorado, issued a mailer regarding Mike Coffman during the week of July 28, 2008, prior to the August 12, 2008, primary election for the U.S. House of Representatives from Colorado's 6th Congressional District, an election in which Mike Coffman and Wil Armstrong were candidates. See attached PCJ mailer. Publicly available information suggests that PCJ and an agent of AFC may have coordinated this communication. Therefore, any amounts spent on preparing and mailing the communication would be considered an impermissible in-kind contribution from PCJ to AFC in the form of a coordinated communication in violation of the Act. See Title 2 of the United States Code ("2 U.S.C.") sections 441a(a)(7)(B)(i) and 441b(a) and Title 11 of the Code of Federal Regulations section 109.21. Further, Armstrong for Congress would be required to report the acceptance of the contribution. See 2 U.S.C. § 434(b)(3)(A).

The Commission's Office of the General Counsel is reviewing this information in connection with making a recommendation to the Commission as to whether there is reason to believe that AFC and you, in your official capacity as treasurer, violated the Act, an initial determination necessary to initiate an investigation into whether a violation has, in fact, occurred. See 2 U.S.C. section 437g(a)(2). Before the General Counsel makes such a recommendation, you may provide in writing any factual or legal materials that you believe are relevant to this matter. AFC's submission, if it chooses to make one, must be submitted within 15 days of receipt of this letter and addressed to the General Counsel's Office. After 15 days, the General Counsel's Office will present its recommendations to the Commission. Any response submitted by AFC will be taken into account in these recommendations. The Commission will then consider the recommendations and, if the Commission finds that there is reason to believe AFC

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may have violated the Act, initiate an enforcement matter regarding the possible coordinated communication that PCJ made to AFC.

This matter will remain confidential in accordance with 2 U.S.C. sections 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by legal counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact me at (202) 694-1650 or toll free at 1-800-424-9530. Information is also available on the Commission's web site at www.fec.gov.

Sincerely,

Thomasenia P. Duncan
General Counsel

BY: 
Ann Marie Terzaken
Associate General Counsel for
Enforcement

Enclosures
Protect Colorado Jobs Mailer
Designation of Counsel Form

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